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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 09/332,029   | 06/14/1999  | PETER C. JONES       | 06502.0269-0        | 2426             |
| 22852  | 7590        | 03/16/2004           | EXAMINER            |                  |
| FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER<br>LLP<br>1300 I STREET, NW<br>WASHINGTON, DC 20005 |             |                      | HO, THE T           |                  |
|  |             | ART UNIT             | PAPER NUMBER        |                  |
|  |             | 2126                 | 17                  |                  |
| DATE MAILED: 03/16/2004  |             |                      |                     |                  |

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                        |                     |  |
|------------------------------|------------------------|---------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b> |  |
|                              | 09/332,029             | JONES ET AL.        |  |
|                              | <b>Examiner</b>        | <b>Art Unit</b>     |  |
|                              | The Thanh Ho           | 2126                |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### **Status**

1) Responsive to communication(s) filed on 06 January 2004.

2a) This action is FINAL.                  2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### **Disposition of Claims**

4) Claim(s) 1-2,4-7 and 9-13 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1,2,4-7 and 9-13 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### **Application Papers**

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.  
 If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

#### **Priority under 35 U.S.C. §§ 119 and 120**

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
 a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### **Attachment(s)**

|  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

1. This action is in response to the request for reconsideration filed 1/6/2004.
2. Claims 1-2, 4-7 and 9-13 have been examined and are pending in the application.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 5 and 10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

A. The following terms lack antecedent basis:

- (i) "the method" – (line 6 claim 5; line 7 claim 10).

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

- (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 5 and 10 are rejected under 35 U.S.C. 102(e) as being anticipated by Guthrie U.S Patent No. 6,385,661.

**As to claim 5,** Guthrie teaches a method in a data processing system (distributed processing system use to manipulate data, lines 10-15 column 3) having an invocation handler (subject object 18 of the server 12, line 5 column 4) comprising receiving at runtime (dynamically generates at run-time, lines 45-47 column 4) an indication (determination if the remote proxy class is needed on the client system, lines 38-52 column 5) of at least one interface having a plurality of methods (interfaces and methods of the subject object 18 of the server, line 49 column 5); and generating at runtime (dynamically generates at run-time, lines 45-47 column 4) a class (remote proxy class, line 46 column 4) that implements the interface by generating code for each of the methods (determine methods and then to directly generate the byte codes into a .class file, lines 10-15 column 5) that dispatches (remote proxy object 22 encoding the request and its arguments and send the encoded request to the server object, lines 14-17 column 4) an invocation of the method (remote proxy object 22, who has an interface and methods identical to subject object 18 of the server, being requested by the client object 20 to process a method within remote proxy object 22 since this proxy object is acting as the real subject object 18 of the server, lines 5-28 column 4) to the invocation handler (subject object 18 of the server 12, line 5 column 4).

**As to claim 10,** it is a computer readable medium claim of claim 5. Therefore, it is rejected for the same reasons as claim 5 above.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 1-2, 4, 6-7, 9 and 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Guthrie.

**As to claim 1,** Guthrie teaches a method in a data processing system (distributed processing system use to manipulate data, lines 10-15 column 3) comprising generating at runtime (dynamically generates at run-time, lines 45-47 column 4) a class (remote proxy class, line 46 column 4) that implements an interface (a new instance of the compiled .class file may be created which will be remote proxy object 22, lines 4-6 column 5; wherein remote proxy object 22 has an interface identical to object 18 of the server, lines 9-11 column 4) specified at runtime (dynamic generation of remote proxies, lines 61-62 column 4) having a method (list of methods within the remote proxy object 22, line 10 column 4); creating an instance of the class (a new instance of the compiled .class file may be created which will be remote proxy object 22, lines 4-6 column 5); receiving by the class instance a request to process the method of the interface (remote proxy object 22, who has an interface and methods identical to object 18 of the server, being requested by the client object 20 to process a method

within remote proxy object 22 since this proxy object is acting as the real server object 18, lines 5-28 column 4); dispatching the request to an object (server object 18, lines 22-23 column 4) to facilitate processing of the method of the interface (remote proxy object 22 encoding the request and its arguments and send the encoded request to the server object, lines 14-17 column 4).

Guthrie does not explicitly teach returning a result of the processed method by the object. However, the system of Guthrie is provided to utilize remote proxy objects in all inter-object communication to provide additional processing support (lines 29-37 column 5). Also, as mentioned above, remote proxy object 22 encoding the request from the local object 20 and its arguments and send the encoded request to the server object (lines 14-17 column 4). Therefore one of ordinary skill in the art would conclude based on the teachings above that after the server object received the request for additional processing from the local object of the client, the server object processed the request and returning the result of the processing to the client object since such teachings are conventional and well known in the art.

**As to claim 2,** Guthrie as modified further teaches generating at runtime (dynamically generates at run-time, lines 45-47 column 4) a class (remote proxy class, line 46 column 4) that implements more than one interface (contains interfaces of the subject object 18 of the server, lines 64-65 column 4) specified at runtime (dynamic generation of remote proxies, lines 61-62 column 4), each interface having one or more methods (methods of the subject object 18, line 65 column 4).

**As to claim 4,** Guthrie as modified further teaches specifying an object (subject object 18 of the server, which processed a method call from the local object 20 of the client, lines 5-28 column 4) to process method invocations on the instance.

**As to claims 6-7 and 9,** they are computer readable medium claims of claims 1-2 and 4, respectively. Therefore, they are rejected for the same reasons as claims 1-2 and 4 above.

**As to claim 11,** it is a method claim of claims 1 and 5. Therefore, it is rejected for the same reasons as claims 1 and 5 above.

**As to claim 12,** it is a system claim of claim 1. Therefore, it is rejected for the same reasons as claim 1 above.

**As to claim 13,** it is a system claim of claim 1. Therefore, it is rejected for the same reasons as claim 1 above. Guthrie as modified further teaches a memory (memory, line 59 column 4). Guthrie does not explicitly teach a processor. However, Guthrie's invention is implemented on a computer system (lines 10-22 column 3). Therefore one of ordinary skill in the art would conclude that the system of Guthrie includes a processor since it is a required component for a computer system to work and since such teaching is well known in the art.

***Response to Arguments***

6. Applicant's arguments filed have been fully considered but are moot in view of the new ground(s) rejection.

Applicant's arguments presented issues which required the Examiner to further view the previous rejection. The Examiner conducted a further search regarding the issues mentioned in Applicant's response. Therefore, all arguments regarding the cited references of the previous rejection are moot in view of the new grounds of rejection.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to The Thanh Ho whose telephone number is 703-306-5540. A voice mail service is also available for this number. The examiner can normally be reached on Monday – Friday, 8:30 am – 5:00 pm.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Any response to this action should be mailed to:

Commissioner for Patents

P.O Box 1450

Alexandria, VA 22313-1450

Or fax to:

- AFTER-FINAL faxes must be signed and sent to (703) 746 – 7238

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- OFFICAL faxes must be signed and sent to (703) 746 – 7239
- NON OFFICAL faxes should not be signed, please send to (703) 746 – 7240

TTH  
March 10, 2004

  
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SUPERVISORY PATENT EXAMINER  
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